

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
)	
vs.)	CRIMINAL NO. 11-00270-CG
)	
ELIZABETH VONCILE GRAY)	
PORTER,)	
)	
Defendant.)	

ORDER

This matter is before the Court on two motions by the defendant seeking a sentence reduction (Docs. 178, 179).

In the first motion (Doc. 178) she seeks a reduction pursuant to 18 U.S.C. §3582(c)(2), which permits modification of a sentence that was imposed based on a sentencing range that has subsequently been lowered by the Sentencing Commission. Although the sentencing guidelines applicable to illegal controlled substances have been lowered, that provision does not take effect until November 1, 2014. Defendant's motion will be addressed by this Court once the new guideline provisions takes effect under the law.

In the second motion (Doc. 179), the defendant seeks a reduction pursuant to Rule 35, Federal Rules of Criminal Procedure. A reduction pursuant to that Rule is available only to correct an arithmetical, technical or other clear error within 14 days after sentencing, or when a motion is made by the Government for a reduction due to the substantial assistance of the

defendant in the investigation or prosecution of another person. Neither of those circumstances are applicable in defendant's case, and her second motion is therefore **DENIED**.

DONE and **ORDERED** this 30th day of September, 2014.

/s/ Callie V. S. Granade
UNITED STATES DISTRICT JUDGE